

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL AMARAL,

Plaintiff,

-against-

CIVIL ACTION NO.:04-11778 GAO

PENN MARITIME, INC.,

Defendant.

**DEFENDANT’S MOTION FOR ACCESS TO PLAINTIFF’S
CRIMINAL OFFENDER RECORDS INFORMATION (CORI)**

Now comes defendant Penn Maritime, Inc., by its attorneys, Kenny, Stearns & Zonghetti and Timothy McHugh, Esq., and respectfully moves this Honorable Court for permission to access plaintiff’s Criminal Offender Records Information (CORI). As grounds in support of this motion, Defendant submits the following for the Court’s consideration.

Plaintiff commenced this cause of action to recover for personal injuries he allegedly sustained on or about January 15, 2003 while employed aboard a tug boat owned and operated by defendant Penn Maritime, Inc. Plaintiff claims that he injured himself as a result of a fall from a ladder. At plaintiff’s deposition taken on June 9, 2005, plaintiff testified that he had been convicted of various crimes, including breaking and entering and other crimes, the precise nature of which he was unaware. Plaintiff testified that he served time in prison as a result of such criminal convictions. Defendant seeks plaintiff’s Massachusetts criminal history solely for the purpose of impeachment during the trial of this matter. See, Affidavit of Gino A. Zonghetti, Esq., attached hereto as

Exhibit A. This request is being made in accordance with the provisions of Chapter 6, Section 172(c) of the Massachusetts General Laws.

WHEREFORE, defendant, Penn Maritime, Inc., prays that this Honorable Court allow defendant access to plaintiff's Criminal Offender Records Information (CORI), and endorse the Order attached hereto as Exhibit "B".

Dated: February 1, 2006

Penn Maritime, Inc.

/s/Timothy R. McHugh

Timothy R McHugh, B.B.O. #335480

135 Great Plain Avenue

Wellesley MA 02482

(617) 593-5405

E-mail: trmchugh@coastwiselaw.com

Of Counsel

Gino A. Zonghetti

(GAZ-2647)

Kenny, Stearns & Zonghetti

26 Broadway

New York, New York 10004

E-mail: gzonghetti@kennyandstearns.com

Assented to:

MICHAEL AMARAL

By his attorney,

/s/ John D. Sutherland

John D. Sutherland, BBO No. 488960

Brickley, Sears & Sorrett

75 Federal Street

Boston MA 02110

E-mail: jes@brickleysears.com

Certificate of Service

I hereby certify that these document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 1, 2006.

/s/Timothy R. McHugh

Timothy R McHugh, B.B.O. #335480

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